



# City of Grand Island

Tuesday, January 24, 2023

Council Session

## Item F-1

**#9915 - Consideration of Vacation of Public Right-of-Way in  
Section 12-11-10; North of State Street, East of North Road (Parcel  
No. 400523168)**

Staff Contact: Keith Kurz PE, Interim Public Works Director

# **Council Agenda Memo**

**From:** Keith Kurz PE, Interim Public Works Director

**Meeting:** January 24, 2023

**Subject:** Consideration of Vacation of Public Right-of-Way in Section 12-11-10; North of State Street, East of North Road (Parcel No. 400523168)

**Presenter(s):** Keith Kurz PE, Interim Public Works Director

## **Background**

To allow access during construction of the North Road- 13<sup>th</sup> Street to Highway 2 Roadway Improvements; Project No. 2019-P-5 the City of Grand Island acquired right-of-way north of State Street, east of North Road. With the project complete there is no need for the City to retain this parcel. The attached sketch details the referenced area.

## **Discussion**

When the City acquired the subject parcel it was discussed with both the property owner to the north and to the south how the vacation of such would be handled when the time came. The property owner to the north had no interest in acquiring any of the vacated parcel.

Ownership of the vacated right-of-way will revert to the adjacent property owner directly south of Parcel No. 400523168. An administrative plat will be completed to clean up parcels soon.

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council pass an ordinance vacating the public right-of-way in Section 12-11-10, Parcel No. 400523168.

## **Sample Motion**

Move to pass an ordinance vacating the public right-of-way.







ORDINANCE NO. 9915

An ordinance to vacate an existing right-of-way and to provide for filing this ordinance in the office of the Register of Deeds of Hall County; to repeal any ordinance or parts of ordinance in conflict herewith; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. That a portion of existing right-of-way, north of State Street and east of North Road, more particularly described as follows:

BEGINNING AT THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED AND RECORDED IN INSTRUMENT NUMBER 200407646; THENCE S89°56'38"W (ASSUMED BEARING) ON THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 266.96 FEET TO THE NORTHWEST CORNER OF SAID PARCEL; THENCE N00°26'14"W ON THE EAST RIGHT-OF-WAY LINE OF NORTH ROAD, A DISTANCE OF 50.00 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED AND RECORDED IN INSTRUMENT NUMBER 201807560; THENCE N89°56'38"E ON THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 266.99 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE S00°24'03"E, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING, CONTAINING 13,349 SQUARE FEET, MORE OR LESS.

is hereby vacated. Such right-of-way to be vacated is shown and more particularly described on Exhibit A attached hereto.

SECTION 2. The property vacated by Section 1 shall revert to the adjacent south owner.

Approved as to Form	▣ _____
January 20, 2023	▣ City Attorney

ORDINANCE NO. 9915 (Cont.)

SECTION 3. This ordinance is directed to be filed in the office of the Register of Deeds of Hall County, Nebraska.

SECTION 4. This ordinance shall be in force and take effect from and after its passage and publication, without the plat, within fifteen (15) days in one issue of the Grand Island Independent as provided by law.

Enacted: January 24, 2023.

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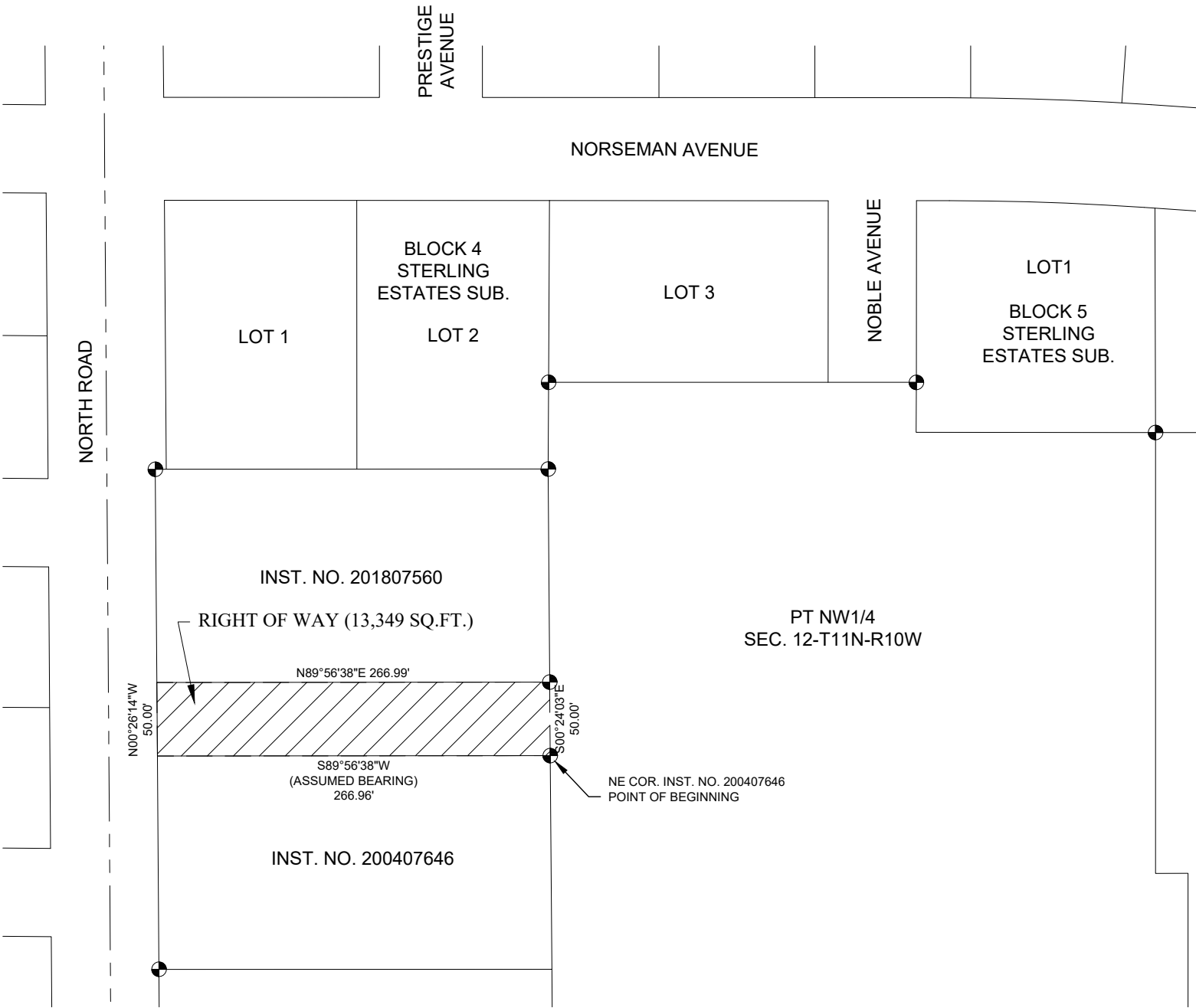
Roger G. Steele, Mayor

Attest:

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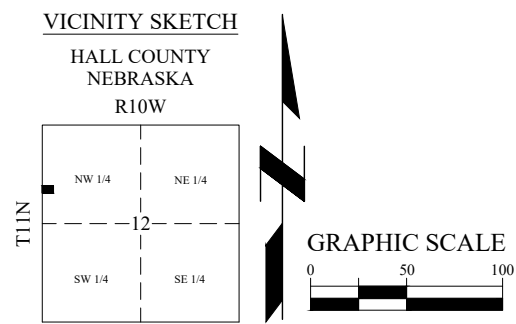
RaNae Edwards, City Clerk

RIGHT OF WAY EXHIBIT



RIGHT OF WAY DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE SIXTH P.M, HALL COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED AND RECORDED IN INSTRUMENT NUMBER 200407646; THENCE S89°56'38"W (ASSUMED BEARING) ON THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 266.96 FEET TO THE NORTHWEST CORNER OF SAID PARCEL; THENCE N00°26'14"W ON THE EAST RIGHT OF WAY LINE OF NORTH ROAD, A DISTANCE OF 50.00 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED AND RECORDED IN INSTRUMENT NUMBER 201807560; THENCE N89°56'38"E ON THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 266.99 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE S00°24'03"E, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING, CONTAINING 13,349 SQUARE FEET, MORE OR LESS.



NOTE: ALL BEARINGS ARE ASSUMED.

LEGEND

- MONUMENT FOUND
  - MONUMENT SET
  - CALCULATED POINT
  - D DEEDED DISTANCE
  - G GOVERNMENT DISTANCE
  - M MEASURED DISTANCE
  - P PLATTED DISTANCE
  - R RECORDED DISTANCE
- SECTION LINE
- [Hatched Box] RIGHT OF WAY AREA

DATE

12/8/2020

SCALE

1" = 100'

DRAWN

AJG

JOB NO.

R190020

FIELD BOOK

GRAND ISLAND #7

FIELD WORK

AG/BS

SHEET

1

OF

1

TRACT NO.

39

800.723.8567  
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P:\Engineering\190020.00 - Grand Island North Road Improvements - North\6 Survey\Drawings\SV-190020-Phase II Ease.dwg, on 12/8/2020 9:41 AM.